

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

BRENT HOPKINS

Plaintiff

vs.

METROPOLITAN LIFE INSURANCE
COMPANY

and

METLIFE SECURITIES, INC

Defendants.

Case No.:6:13-cv-03302-GAF

MOTION TO EXTEND SCHEDULING ORDER

COMES NOW Plaintiff, Brent Hopkins, by and through his attorneys of record, O'Reilly, Jensen & Preston, LLC, and hereby respectfully requests that this Court extend the Scheduling Order in this case an additional thirty (30) days to have discovery close on July 31, 2014, and dispositive motions close on August 29, 2014.

1. No previous extensions have been sought by either party.
2. This matter is set for trial on January 20, 2015.
3. The reason for this Motion is that on May 30, 2014, Defendant produced 1,924 pages in response to discovery requests. Further, Defendants objected to numerous requests that will need to be either resolved by counsel or taken up with the Court. Upon information and belief, Defendant also has certain objections of Plaintiff's that they wish to either have resolved between the parties or have heard by the Court.
4. Depositions are currently scheduled for June 18th and 19th of Plaintiff and a former employee of Defendant MetLife.

5. In addition, Plaintiff has been seeking the availability of deposition dates since April 2014 of the former manager of Defendant MetLife, Paulette Playce. To date, counsel for Defendant MetLife has not provided an available date or her address for a subpoena despite Playce being the witness who actually fired Plaintiff. Further, Defendant informed Plaintiff on June 4, 2014 for the first time that Playce is only available in North Carolina, when originally Defendant agreed to produce Playce in Kansas City, Missouri at its local counsel's office. This change in place alone justifies the additional time needed. Plaintiff has been actively trying to set up this deposition and has been unsuccessful solely due to Defendants' inaction.

6. Plaintiff believes an additional thirty (30) days are needed to secure Defendant's Manager's testimony in North Carolina or elsewhere, and to take up with the Court the numerous objections filed by Defendants.

7. No party will suffer any prejudice from the granting of this Motion. The parties have been actively pursuing discovery and have exchanged thousands of pages of documents, have scheduled depositions of the witnesses that are available, and have answered many interrogatories between the parties.

WHEREFORE, Plaintiff prays that this Court grant an additional thirty (30) days until the close of discovery from June 30, 2014 to July 31, 2014 and the movement of any other deadlines including the dispositive motions deadline, and any other and further relief this Court deems just and proper.

O'REILLY, JENSEN & PRESTON, LLC

By /s/ Eric G. Jensen
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a complete copy of the foregoing document was served on the attorneys of record in this case by way of electronic filing and U.S. Mail, postage prepaid, this 5th day of June, 2014.

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